

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

NO. 5:23-CV-033-FL


| | | |
|----------------------------|---|-------|
| TULISHA DOCTOR, |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | ORDER |
| |) | |
| CUMBERLAND COUNTY SCHOOLS, |) | |
| |) | |
| Defendant. |) | |

This matter is before the court on plaintiff's motion to proceed in forma pauperis (DE 1) and for review pursuant to 28 U.S.C. § 1915(e). United States Magistrate Judge Kimberly A. Swank entered memorandum and recommendation ("M&R"), pursuant to 28 U.S.C. § 636(b)(1) and Federal Rule of Civil Procedure 72(b), wherein it is recommended plaintiff's case be dismissed as frivolous or for failure to state a claim upon which relief can be granted. (DE 6). Plaintiff did not file objections to the M&R, and the time within which to make any objection has expired. In this posture, the issues raised are ripe for ruling.

Upon a careful review of the M&R, the court may "accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge." 28 U.S.C. § 636(b)(1). Because no objections have been filed, the court reviews the magistrate judge's findings and conclusions only for clear error, and need not give any explanation for adopting the M&R. Diamond v. Colonial Life & Acc. Ins. Co., 416 F.3d 310, 315 (4th Cir. 2005); Camby v. Davis, 718 F.2d 198, 200 (4th Cir. 1983).

Here, the magistrate judge recommends dismissal of plaintiff's claims as frivolous and for failure to state a claim upon which relief can be granted. Upon careful review of the M&R, the court finds the magistrate judge's analysis to be thorough, and there is no clear error. The court hereby ADOPTS the recommendation of the magistrate judge as its own, and plaintiff's action is DISMISSED for failure to state a claim. The clerk of court is DIRECTED to close the case.

SO ORDERED, this the 7th day of June, 2023.



LOUISE W. FLANAGAN
United States District Judge